

1. (Twice Amended) An isolated nucleic acid molecule comprising a promoter nucleotide sequence that initiates transcription of an operably linked heterologous nucleic acid sequence in a plant cell wherein said promoter nucleotide sequence has at least 80% identity to 18 sequential nucleotides of the cassava vein mosaic virus (CsVMV) promoter shown in SEQ ID NO 3 (pA).
2. (Three Times Amended) The nucleic acid molecule of claim 1 which comprises a nucleic acid sequence selected from the group consisting of CVP1, CVP2, pA, pB, pC, pD, pE, p $\Delta$ B, p $\Delta$ C, p $\Delta$ D1, p $\Delta$ D2, p $\Delta$ D3, p $\Delta$ E1, p $\Delta$ E2, p $\Delta$ E3 and p $\Delta$ E, having the respective sequences shown in SEQ ID NOS 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, and 17.
8. (Once Amended) A vector comprising a promoter nucleotide sequence that is capable of initiating transcription of an operably linked heterologous nucleic acid sequence in a plant cell wherein said promoter nucleotide sequence has at least 80% identity to 18 sequential nucleotides of the cassava vein mosaic virus (CsVMV) promoter shown in SEQ ID NO 3 (pA) and is operatively linked to a heterologous nucleic acid sequence.

**REMARKS**

Reconsideration of this application in view of the amendments above and the discussion below is respectfully requested.

I. **The Amendments**

Claims 1 and 8 are amended to correct an informality in